

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

UNITED STATES OF AMERICA

v

CRIMINAL NO. 5:09cr20 DCB-FKB

JENNIFER ELIZABETH WIGLEY

AGREED PRELIMINARY ORDER OF FORFEITURE

PURSUANT to a separate Plea Agreement between **JENNIFER ELIZABETH WIGLEY**, and the **UNITED STATES OF AMERICA** (the Government), **JENNIFER ELIZABETH WIGLEY** acknowledges and agrees that the following findings are correct, and further agrees with the adjudications made.

THEREFORE the Court finds as follows:

1. The defendant is fully aware of the consequences of having agreed to forfeit to the Government her interests in and to the hereinafter described property, having been apprised of such by her attorney and by this Court; and she has freely and voluntarily, with knowledge of the consequences, entered into a Plea Agreement with the Government to forfeit such property.
2. Based upon a factual basis presented by the Government, to which the defendant agrees, the **\$55,900.00 money judgment**, constitutes property that was received as proceeds involved in the violation charged in the Indictment and was monetary proceeds traceable to such violation. Further, the Indictment charges the defendant with Theft, embezzlement, or misapplication by bank officer or employee, in violation of Title 18, United States Code, Section 656. Such property is, therefore, subject to forfeiture pursuant to Section 982(a)(2) Title 18, United States Code.

3. The defendant has been apprised that Rule 32.2 of the Federal Rules of Criminal Procedure and Section 982(a)(2) Title 18, United States Code, require the Court to order the forfeiture of the **\$55,900.00 money judgment**, at and as a part of the sentencing proceeding. She does hereby waive such requirement and the requirement that the forfeiture be made a part of the sentence as ordered by the Court in the document entitled, "Judgment in a Criminal Case." The defendant and her attorney further authorize the Court to enter this order immediately, and agree that the forfeiture ordered hereunder will be a part of the sentence of the Court whether ordered at that proceeding or not and whether or not attached as a part of the said Judgment in the Criminal Case.


IT IS, THEREFORE, ORDERED AND ADJUDGED AS FOLLOWS:

a. That the government is granted a money judgment of forfeiture from the defendant in the amount of a **\$55,900.00 money judgment** which represents proceeds the defendant received from the violation set forth in the Indictment of this matter as provided for in Fed. R. Crim. P. 32.2.



b. That any ancillary hearing is hereby dispensed with as the forfeiture provides for a money judgment. Pursuant to Fed. R. Crim. P. 32.2(b)(3), this Agreed Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing [or before sentencing if the defendant consents] and shall be made part of the sentence and included in the judgment.

The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

SO ORDERED AND ADJUDGED this 23rd day of MARCH 2010.


UNITED STATES DISTRICT JUDGE

APPROVED:


J. SCOTT GILBERT
Assistant United States Attorney
JENNIFER ELIZABETH WIGLEY
Defendant
JOHN I. DONALDSON
Attorney for Defendant